



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

Ohio EPA JUL 30 '18
Entered Directors Journal

July 28, 2018

Re: Emerald BioEnergy
Director's Authorization
Approval
NPDES
Morrow County

Mr. Taylor Faecher
Ringler Energy, LLC
461 State Route 61
Marengo, OH 43334

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

Subject: Class B Biosolids Beneficial Use Site Authorization

By: [Signature] Date: 7/30/18

Dear Mr. Faecher:

Ohio EPA received a request from Renenergy, Inc. on behalf of Emerald BioEnergy to include the following site as part of the biosolids management program:

<u>Ohio EPA Site #</u>	<u>Field ID</u>	<u>County</u>	<u>Township</u>
21-00208	DES-02-12	Delaware	Brown

This 33.3-acre beneficial use site, owned by **Exemption 4** and operated by Shady Haven Farms, LLC, is located northeast of the intersection of County Road 80 and County Road 82. The beneficial use site's soil units consist of Blount silt loam and Glynwood clay loam. Soil analytical results indicate an average pH value of 6.4 S.U. and phosphorus values ranging from 11 to 19 parts per million (ppm) Mehlich 3 extraction.

A review of the application and site was conducted by Ohio EPA. The application indicates that the requisite notifications and consents have been obtained. The review considered soil and landscape characteristics, isolation distances from residences, and the proximity to waterways and wells.

After a review of the application and Ohio Administrative Code (OAC) 3745-40-06, Ohio EPA hereby authorizes this site to be included in the Emerald BioEnergy Class B biosolids management program. This authorization is subject to conditions contained in the Emerald BioEnergy NPDES permit and OAC 3745-40. Highlights of these conditions are outlined below. Conditions contained in the NPDES permit and OAC 3745-40 may differ. In such cases, the more restrictive conditions from either the NPDES permit or OAC 3745-40 shall govern.

Specific Conditions

1. All biosolids beneficially used at this site shall be injected beneath the surface of the ground or immediately incorporated into the soil. Biosolids that remain on the surface shall be incorporated within six hours.
2. Prior to beneficial use, the agronomic rate shall be determined in accordance with OAC 3745-40-08(A)(2) and include all sources of nitrogen and phosphate, such as commercial fertilizer or manure.
3. The review indicated the presence of soils at this site that are classified as hydrologic soil group D. Please refer to the precipitation prohibitions and restrictions for group D soils found in OAC 3745-40-08(B)(2).

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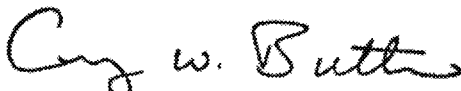
4. Biosolids shall not be applied within the isolation distances listed in OAC 3745-40-08(C).
5. Biosolids application records shall be maintained in accordance with OAC 3745-40-09(C).

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Treasurer, State of Ohio," which the Commission, in its discretion, may reduce if by affidavit it is demonstrated that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
30 East Broad Street, 4th Floor
Columbus, OH 43215

If you have questions, please refer to Ohio EPA's Sewage Sludge Rules in OAC 3745-40 (<http://www.epa.ohio.gov/dsw/sludge/biosolid.aspx>) or contact Betsy VanWormer at (614) 644-2150 or via email at betsy.vanwormer@epa.ohio.gov.

Sincerely,



Craig W. Butler
Director

Enclosure

Cc: Delaware County General Health District
Delaware County Soil and Water Conservation District
Brown Township Trustees
Exemption 6
Shady Haven Farms, LLC

Ec: Taylor Faecher, Renergy
Betsy VanWormer, Ohio EPA- DSW/CO
Isaac A. Robinson, III, Chief, Ohio EPA/CDO



Class B Biosolids
Site Authorization

Emerald BioEnergy
NPDES #4IN00204

Ohio EPA Site
21-00208

Field ID
DES-02-12

Sources: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, Aero, GeoMapping, AeroGRID, IGN, IGP, swisstopo, and the GIS User Community, Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors



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